

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

TRAVEN RAYMOND GODFREY,)	Cause No. CV 03-104-M-DWM
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
OFFICERS POWELL, RUSSELL, MORISS,)	
THEISON AND OTHER JAILERS IN)	
RAVALLI COUNTY DETENTION CENTER,)	
)	
Defendants.)	
_____)	

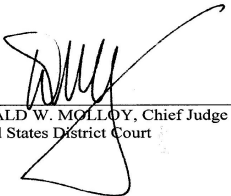
United States Magistrate Leif B. Erickson entered Findings and Recommendation in this matter on May 25, 2006. Traven Raymond Godfrey did not file objections and is therefore not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Erickson concluded that Plaintiff has refused to provide the Court with an updated mailing address and therefore

failed to comply with this Court's Orders and the Court finding that the relevant factors weigh in favor of dismissing the Complaint filed pursuant to 42 U.S.C. § 1983. It is Judge Erickson's recommendation that Plaintiff's Complaint filed pursuant to 42 U.S.C. § 1983 be Dismissed without prejudice.

I find no clear error in Judge Erickson's Findings and Recommendation (dkt #28) and I adopt them in full. Plaintiff's Complaint filed pursuant to 42 U.S.C. § 1983 is Dismissed without prejudice.

DATED this 23rd day of August, 2006.



DONALD W. MOLLOY, Chief Judge
United States District Court